

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Chambers of
KENT A. JORDAN

LOCKBOX 10
844 KING STREET
WILMINGTON, DE 19801
(302) 573-6001

Civil Trial Procedures

Exhibits: Counsel should have all exhibits marked before trial and, on or before the day of trial, should deliver to the Courtroom Deputy a completed AO Form 187 exhibit list for each party.

Stand for the Jury: Counsel should stand for the jury as it enters and exits the courtroom.

Use of Lectern: Counsel should conduct examination of witnesses from the lectern.

Examination of Witnesses: Expect that examination of witnesses shall be limited to direct, cross examination, and re-direct.

Approaching the Witness or Jury: Before approaching a witness or the jury, counsel should first ask the Court's permission. If leave is requested and granted to freely approach a witness, counsel need not seek further permission with respect to that witness.

Publishing Exhibits to the Jury: Counsel should ask for permission to publish exhibits to the jury.

Objections: In making an objection, counsel should limit his or her comments to noting the objection and a brief statement of the Rule or basis for the objection. Do not make "speaking" objections. Counsel may ask to approach the bench; however, I discourage bench conferences. Where evidence is excluded and counsel asks for an opportunity to make an offer of proof, I will note the request and ask that counsel remind me of that request at the next break, when counsel can make the offer after the jury has been excused.

Transition Statements: Generally, I am inclined to grant counsel's request to make a brief transition statement to the jury during the presentation of the case. Such a statement must be both very brief and devoid of argument.

Argument: In all proceedings before the Court, counsel should direct arguments to the Court and not to opposing counsel.

Trial Schedule: I will try to hold to the following trial schedule:

On the first day of trial in a jury trial, jury selection will begin at 9:30 a.m.; on succeeding days, testimony will begin at 9:00 a.m.

In bench trials, all days will begin at 9:00 a.m.

There will be a brief mid-morning break at 10:30 a.m., one-hour lunch break at 12:30 p.m., an afternoon break at 3:00 p.m., and the trial day will conclude at 4:30 p.m.

Punctuality: Once I have set a time to start, you should expect we will start at that time whether or not you or your clients are present.